

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **WEDNESDAY, 30 SEPTEMBER 2020**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **059999 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR THE DEVELOPMENT OF LAND TO PROVIDE LODGE/CHALET PARK TO INCLUDE SINGLE STOREY AND TWO STOREY LODGES, A SITE OFFICE WITH SHOP/CONVENIENCE STORE AND CYCLE HIRE FACILITY AT NORTHOP COUNTY PARK**

APPLICATION NUMBER: **059999**

APPLICANT: **MR GIZZI**

SITE: **LAND AT NORTHOP COUNTRY PARK, NORTHOP, MOLD**

APPLICATION VALID DATE: **4TH JUNE 2019**

LOCAL MEMBERS: **COUNCILLOR M BATEMAN**

TOWN/COMMUNITY COUNCIL: **NORTHOP COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT & LOCAL MEMBER REQUEST**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is an outline planning application with matters reserved for subsequent approval except access and scale. The proposal concerns the principle of tourism development in the form of a lodge/chalet holiday park, comprising the siting of 30 no. lodges with a mix of single and two storey accommodation types, site office with convenience store and cycle hire facility on land at Northop Country Park, Northop.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01
1. The Local Planning Authority considers the proposal comprises an undesirable form of development, which by virtue of its scale and siting, would be at odds with the surrounding rural character. The proposal would result in an absolute change to a currently undeveloped area of land resulting in a significant expansion of built form into the countryside replica of an isolated modern housing estate. As such the proposal would be harmful to the character and appearance of the immediate and surrounding area and is therefore contrary to Policy STR7, GEN1 and T4 of the Flintshire Unitary Development Plan.
 2. It is considered that the proposed development will have an adverse impact upon the zone of essential setting of the Grade II* Listed Soughton Hall Historic Park and Garden. It is considered that the proposed holiday lodge accommodation would be incongruous to the historical character and essential setting of the historic garden therefore conflicting with paragraph 6.1.18 of PPW10 which seeks to value, protect, conserve and enhance the special interest of parks and gardens and their settings. As such the proposal would be contrary to Policy HE5 of the Flintshire Unitary Development Plan.
 3. The Local Planning Authority has been advised that there is insufficient information in relation to ecology matters concerning the protection of Great Crested Newt (GCN) populations. In the absence of further surveys and long-term compensation and mitigation, it has not been demonstrated that the proposed development will not be detrimental to the maintenance of the favourable conservation status of GCN. As such the proposal is contrary to Policy WB1 of the Flintshire Unitary Development Plan.

3.00 CONSULTATIONS

- 3.01 Local Member – Councillor M Bateman
Requests the application be reported to planning committee.

Northop Community Council

Objects to the proposed development on the following grounds:

- The proposal is out of character with the existing site which has a number of residential properties;
- The development would result in an increase in the volume of traffic on the narrow site road and through Northop village – for access to the on and off slip roads of the A55 at junction 33.

- The original planning permission for the development of Northop Country Park precluded any further development of the site.

Highways Development Control

No objections subject to the imposition of a condition in relation to parking, turning, loading and unloading facilities together with the inclusion of advisory notes upon any grant of planning permission.

Community and Business Protection

No adverse comments to make.

Welsh Water/Dwr Cymru

Notes that the drainage proposals are absent, therefore requests confirmation as to whether to proposed scheme would require a connection to the public sewerage system for foul only flows.

Natural Resources Wales

Objects to the application. NRW require further survey and assessments to be undertaken to ensure that the favourable conservation status of the GCN is maintained. In addition a long-term compensation and mitigation scheme is required as part of the application.

Welsh Government (Trunk Roads)

Advises that the Welsh Government as Highways Authority for the A55 trunk road does not issue a direction in respect of the application.

Welsh Government – Land Quality Advisory Service (LQAS)

A detailed ALC survey for the site has been completed by Land Research Associates Ltd. dated October 2019 (Ref: 1606/1 – 2nd October 2019). This survey has been previously validated by the department and can be accepted as an accurate reflection of the land quality on site. The survey concluded the site to be ALC subgrade 3a, 3b and non-agricultural land.

Clwyd-Powys Archaeological Trust

Confirms that there are no archaeological implications for the proposed development at this location.

CADW

The scheduled monuments as set out below are located inside 3km of the proposed development, however intervening topography, buildings and vegetation will block all views between them. Consequently, the proposed development will not have an adverse impact on any of the setting of the scheduled monuments as listed.

- FL023 Llys Edwin Medieval Fortified House Site
- FL082 Wat's Dyke: Section from Coed Llys to Chester-Holywell Road

- FL083 Wat's Dyke: Section from the Chester-Holywell Road to Soughton Farm
- FL084 Wat's Dyke: Section SE of Clawdd Offa
- FL085 Wat's Dyke: Section N & E of New Brighton
- FL165 Taylor's Pottery
- FL166 Site of Pinfold Lane Pottery

Welsh Historic Gardens Trust

The application site is situated to the NE of Soughton Hall, which is a Grade II* on the Register of Historic Parks and Gardens, and lies within the essential setting of the Hall. It is also to the SE of Lower Soughton which is Grade II on the Register.

The outline proposal for lodges has the appearance of a suburban housing estate which if permitted would add to the uncoordinated appearance of the park. The Welsh Historic Garden Trust objects to the proposed development due to its location within the essential setting of Soughton Hall.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

27 no. letters of objection received upon the following grounds:

- Not in keeping with local area
- Impact on the character and appearance of the Country Park
- No demand for resort style holiday resorts
- Scale of development
- Will destroy open countryside
- Safety access – Northop Country Park is accessed via a high speed road and there are no footpaths to the site with access having restricted visibility
- Increase volume of traffic and congestion
- Impact on local residents by loss of privacy, increased noise and pollution
- Concerns for local safety
- Loss of habitat and impact on local wildlife
- Increased free roaming, with potential holiday makers intruding onto residential property
- Loss of privacy
- No on site facilities or activities, increasing the use of private car to visit further afield
- Overdevelopment
- This is a private park
- No justification for the proposed tourism development

5.00 SITE HISTORY

- 5.01 051782 – Outline planning permission with all matters reserved for the erection of 3 tourist/leisure let accommodation units and associated works Withdrawn.

1345/89 – Outline application for hotel, leisure and golf development, housing and offices. (Granted on 22nd July 1991)

98/30/1334 – This application which in part relates to the extant permission on this particular section of the site, was for the approval of reserved matters for the erection of a 198 bed hotel with ancillary conference and leisure facilities. The application also included details of the office blocks and 16 detached dwellings.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development

STR6 Tourism

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN5 Environmental Assessment

D1 Design Quality, Location and Layout

TWH1 Development Affecting Trees and Woodlands

L1 Landscape Character

WB1 Species Protection

HE5 Protection of Landscapes, Parks and Gardens of Special Historic Interest

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

RE1 Protection of Agricultural Land

T4 New Static Caravans and Chalets Holiday Sites

EWP17 Flood Risk

Planning Policy Wales Edition 10 (December 2018) (PPW10)

TAN13 Tourism

7.00 PLANNING APPRAISAL

7.01 Introduction

This is an outline planning application with matters reserved for subsequent approval except access and scale. The proposal concerns the principle of tourism development in the form of a lodge/chalet holiday park, comprising the siting of 30 no. lodges with a mix of single and two storey accommodation types, site office with convenience store and cycle hire facility on land at Northop Country Park, Northop.

7.02 Site Description

The application site extends for 2.42ha located within the grounds of the Northop Country park. The site is overgrown in parts and presents some prominent tree lined boundaries. The piece of land to the North, closest to the existing commercial units, is less screened than its counterpart and separated by the expansive tree line running along a ditch through the centre on the site.

7.03 The site is accessed off a private drive off the B5126. The site is to the north east of the existing housing and to the west of the existing industrial unit. There is an office development, golf course and public house on the site accessed from the access road.

7.04 Proposed development

The application relates to the proposed development of a piece of land adjacent to 'Springfields' which is located within the Northop Country Park. The application seeks outline consent for the principle of tourism development in the form of a lodge/chalet holiday park. The matters of scale and access are included for consideration as part of the outline consent.

7.05 The application is supported by a series of indicative sketches, site layout, lodge types and landscaping proposals. The detailed scheme would include the construction of an office and on-site convenience shop together with bike hire facility. .

7.06 The indicative layout has subsequently been arranged around the existing site constraints, these being identified as established trees. Access to the North West area of the site (over the ditch) would necessitate tree felling, however, the loss would be mitigated through the addition of mature tree planting and structural landscaping as an enhancement and additional screening. As such the illustrations identify the landscaping proposals which assist in creating the wooded concept for the lodge park.

7.07 The scheme indicatively suggests the site could facilitate a development providing 30 lodges. The indicative plans also provide unit type footprints to show the scale and density which the application seeks to approve, alongside the principal of the development. The design of the lodges would be synonymous with this type of high quality lodge / chalet park and would offer a mix of 2 / 3 bed units arranged as single storey and 2 storey units.

7.08 Planning History

The principal for this development has been derived from the existing extant planning permission which formed part of a wider application, to construct 1140m² of office space and ancillary accommodation, 16 houses, associated roads and sewers. Reserved matters approval was granted under planning ref 98/30/1334 some 20 years ago, which suggested that the principal of mixed use development was suitable for these particular areas of the country park.

- 7.09 20 years on and the most part of this permission (98/30/1334) has been realised along with other schemes such as office, leisure and residential developments across the country park. The applicant has held the land for a number of years, however considers a 198 bed hotel would not be viable in this location. The Applicant also considers the current extant approval for a hotel is not coherent with the current unitary development plan and it is thought that the setting would be more conducive to a lodge style park. I do not share this view.
- 7.10 Principle of development
The Northop Country Park is located in open countryside in terms of the adopted UDP where both national and local planning policies seek to control new development.
- 7.11 The submitted statement refers to an outline planning permission for B1 office development and a hotel. This suggests that in the late 1980's there was an overall vision for the County Park including the golf course and associated facilities, executive housing, hotel and office development, set within an attractive parkland setting. However, nearly 30 years later the planning context for the site both locally and nationally is quite different. There now appears to be overall vision for the site, with proposals arising on a piecemeal and ad hoc basis. This proposal is promoting holiday development on a small part of the overall site in the context of being within the spirit of that previous approval. However, the proposal is unclear whether that existing planning permission can be rescinded. If not, then it is matter for debate as to how much weight can be attached to the fall-back position of the planning permission.
- 7.12 That being said, it is considered that the construction of a hotel and its associated infrastructure is quite different to the development of a site wide lodge/chalet park. It could be argued that whilst the principle of tourism accommodation has been established at this site, the development of a hotel would be more befitting to a country park and through its development, the majority of the impact could be contained within one or a number of attached buildings, retaining more the application site as open space together with landscaping which compliments the existing trees and overall parkland setting of the Country Park. The hotel development would be more grandeur and portray an element of class and lifestyle that reflects the existing development within the locality.
- 7.13 In recognition of this, the Council seeks to establish a masterplan for the site as a whole with respect to the existing consents and future vision for the site, this would allow for a better understanding for the plan led approach rather than submitting applications on the back of a planning history that has yet to be fully realised, avoiding schemes that do not bode with the ethos of the Country Park and ensuring future permission are implementable and viable for the long term.

- 7.14 Policy T4 provides guidance on new static caravan and chalet holiday sites and proposals need to satisfy the following criteria:
- a) the scale of the proposal together with the number, siting and layout of units, circulation roads and service buildings is appropriate to the characteristics of the site and locality;
 - b) the scheme incorporates substantial internal and structural landscaping;
 - c) the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
 - d) where appropriate, the site is easily accessible from the local highway network and is accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
 - e) the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general;
- 7.15 The proposed scheme has the appearance of a dense housing development and not a tourism development due to the scale and density of the layout. The site is proposed to be developed up to all of its boundary limits which would necessitate significant landscaping in order to reduce the impact of the development. The density of the development and its built up nature creates a sprawl of development across the site though I acknowledge that some screening would soften the appearance. However, the proposal would result in an absolute change to a currently undeveloped area of land in this predominantly rural setting. The introduction of permanent chalet buildings, a formal play areas and office, shop and leisure facility would substantially increase the built-up appearance of the site. This would be further increased by the introduction of access roads and parking which, although designed to have a low profile, would result in a more formalised layout and appearance which would be at odds with the surrounding rural character.
- 7.16 Although the positioning of the chalets would be spaced out, this would disperse development throughout the site and towards the boundaries and would result in a significant expansion of urbanising built form into the countryside and foreground of views across the Country Park. The external materials proposed would give the chalets and amenity/leisure buildings a muted appearance, however, this would not negate the increased prominence of the chalet site within the surrounding area and resultant harm to the rural landscape. Notwithstanding the acceptability of the tourism element, I conclude that this type of tourism accommodation proposal would be harmful to the character and appearance of the surrounding area and conflicts with Policy T4 of the UDP which, amongst other things, seeks to ensure the scale of new chalet holiday sites are appropriate to the characteristics of the site and locality. This view is in line with recent

appeal decisions for similar types of tourist accommodation within the County.

- 7.17 Impact on Historic Park and Garden – Soughton Hall Grade II*
The whole of the site is located within the essential setting of the Grade II* Listed Soughton Hall Historic Park and Garden. UDP policy HE5 covers the 'Protection of Landscape, Parks and Gardens of Special Historic Interest'. It states that developments affecting registered landscapes particularly their zones of essential setting will only be permitted if there is no adverse effect on their special historic character, appearance or setting.
- 7.18 Recent housing and leisure developments within the country park have altered the original profile of the landscape and it has become questionable if this area still has relevance to the historic park and garden. It also has to be said that the strip of residential development to the South of the proposed development site with its estate roads and typical suburban boundary treatment has created a significant obstacle that now silhouettes the horizon and forms a barrier right through this part of the historic gardens essential setting. Whilst this could be argued, it remains that the site lies within the essential setting of Soughton Hall, which is Grade II* on the register of Historic Parks and Gardens.
- 7.19 Whilst Soughton Hall is over 500m away from the application site, the issue of setting to the historic asset is unlikely to be considered a constraint. However, taking note from Cadw's 'Setting of Historic Assets in Wales' May 2017 guidance, the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Setting often extends beyond the property boundary of a historic asset and into the surrounding landscape or townscape. Although many historic assets are visible and their settings are obvious, those that are buried also have a setting. In this case distance from the physical asset or view of, does not alter how the setting is measured, experienced or valued. In this case, the proposed type of tourism development is considered to be more reflective of a suburban housing estate, isolated within the rural landscape and at odds with the ethos of the country park and wider historic special character. Therefore the development being proposed in this application should be seen as adverse and one that will affect the zone of essential setting of the historic garden, this view is shared by the Welsh Historic Gardens Trust and the Council's Conservation Officer.
- 7.20 PPW10 requires planning authorities to value, protect, conserve and enhance the special interest of parks and gardens and their settings included on the register of historic parks and gardens in Wales. Paragraph 6.1.19 of PPW10 addresses this issue and considers the

effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications. From the observations and objection received I therefore afford sufficient weight to this matter within the planning balance and reflect this in the reasons to refuse the application.

7.21 Ecology & Trees

The application is supported by various ecological reports prepared by Clwydian Ecology and Stephen Cutmore. In consultation with NRW, it is considered that the protected species most likely to be impacted by the proposals is Great Crested Newts (GCN), however the ecological surveys for this species were of limited scope and are outdated, with some being over two years old. Reliance on old survey data runs the risk of failing to capture and understand the ecological factors and implications of the site, including the changes to such species groups identified which may have occurred during this time that the site remains undeveloped and undisturbed.

7.22 NRW consider the ecological reports are not satisfactory for the purposes of informing the planning decision, and they appear to relate to a totally different application site, though located within the country park. NRW advise that it cannot be demonstrated that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN and additional information and further survey work is required at the application site.

7.23 The Applicant has been made aware NRW's comments and request for further survey and assessment of the site. Ample opportunity has been allowed for such work to be carried out and the findings provided, however no such information has materialised to date. Given the length of time this application has remained in the system, under consideration and the opportunities to resolve the objection, I consider it reasonable to close the matter and address the lack of sufficient information as a further reason to refuse planning permission.

7.24 The application is supported by a Tree Condition Survey, prepared by Stephen Cutmore Arboricultural & Ecological Services dated October 2019. The report notes that the trees to be lost as a result of the proposal are mainly low category because of their poor condition or small size, or to alleviate damage or excessive nuisance. One moderate category B tree and a small section of a group will be removed to facilitate the proposed development. All the significant boundary tree cover will remain intact. There is sufficient space for tree planting to enhance the site and a comprehensive new tree planting scheme is feasible. The construction activity and proposed changes have the potential to affect the trees to be retained, unless appropriate protective measures are taken to protect them. However, if the appropriate precautions to protect the retained trees are specified and implemented through the arboricultural method

statement included the overall impact of the proposal on local character will be limited to the short term only.

7.25 Highway Matters

The proposal shows access to the site from the private driveway—an arrangement that currently exists within the Country Park. The applicant holds right of way to all areas necessary for site access. All roads within the development will be private and sufficient parking will be allocated as indicated in communal arrangements/adjacent to the lodges.

7.26 Hard standings for parking and paths leading to the units will form part of the master plan / landscaping design and it is thought that an organic and natural theme should be maintained with minimal hard landscaping. The Highway Authority have been consulted on the proposal and confirm that there is no objection to the principle of development or the proposed access arrangements being put forward. The imposition of a condition relating to facilities for parking, turning, loading and unloading is requested on any grant of planning permission.

7.27 In addition to the access, and within the scope of policy T4, the proposal includes a bike hire facility. Whilst such activities and modes of sustainable transport are encouraged, I question the extent of which visitors will utilise bikes or other sustainable transport modes outside of the lodge/chalet park. The country park itself is serviced by a private drive, with limited pedestrian footways and no cycling lane provision. This is another clear reason for a masterplan to come forward which would further allow an assessment of the country park to explore opportunities of meeting active travel and promoting sustainable travel which in turn contributes to health and wellbeing in line with the future generations act.

7.28 Returning to the point, public transport access from the site is limited, local amenity facilities and services outside of the park are again limited within Northop, meaning visitors will be required to travel further to access such, in turn increasing the private car use out of convenience. I acknowledge the proposal of an on-site shop, but it is a reasonable to argue that given the overall lack of tourist attractions and services within the immediate vicinity of the application site and country park, visitors will naturally travel elsewhere.

7.29 It is likely therefore, that the proposal would generate the need for travel by private car in order to access services and facilities. This adversely affects the sustainable credentials of the proposed scheme.

7.30 Other Matters

Third party objections have raised issues with regard to loss residential amenity and loss of privacy. However, due to the physical

separation of the proposed site from the surrounding built form it is considered that very little weight should be attached to these concerns.

- 7.31 Further issues were raised with regard to flooding, loss of trees and habitats. However, as advised above sufficient weight is attached to these matters as relevant statutory consultees have raised their concerns and objections to the proposal.

8.00 CONCLUSION

For the reasons explained above, the proposed development is not considered to be reflective of the country park nor would the type of accommodation being proposed allow the fall-back position of the extant planning permission to be strengthened. The proposed development would significantly increase the urbanising built form within this rural landscape and in turn detract from the zone of essential setting of the Grade II* Park and Garden of Soughton Hall to which it is situated within.

Whilst opportunities to promote tourism are welcomed, and this includes the benefits this has on the local economy and employment, the location, type and scale of tourist accommodation needs to be appropriate to the characteristics of the site and locality. The appraisal evidences that this is not the case, and I therefore recommend accordingly.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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